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TRANSMITTAL FORM

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		Application Number	09/781,127
		Filing Date	02/09/2001
		First Named Inventor	Ian Richards
		Group Art Unit	2174
		Examiner Name	KE, PENG
Total Number of Pages in This Submission	22	Attorney Docket Number	1435-0100101

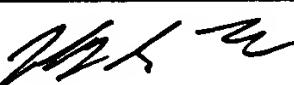
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Firm or Individual name	Jeffrey G. Toler, Reg. No. 38,342
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Date	3-3-2005

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FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 250.00)

Complete if Known

Application Number	09/781,127
Filing Date	February 9, 2001
First Named Inventor	Ian Richards
Examiner Name	KE, PENG
Art Unit	2174
Attorney Docket No.	1435-0100101

METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT AND INTERFERENCES FEES PAID (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent 50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent 200 100

Multiple dependent claims 360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)
- 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=				

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

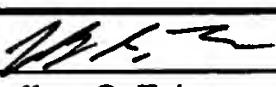
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4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Brief in Support of Appeal 250.00

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Signature		Registration No. 38,342 (Attorney/Agent)	Telephone 512-327-5515
Name (Print/Type)	Jeffrey G. Toler		Date 3-3-2005

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Applicant(s): **Ian Richards, et al.**

Title: **INTERACTIVE METHOD AND SYSTEM FOR HUMAN NETWORKING**

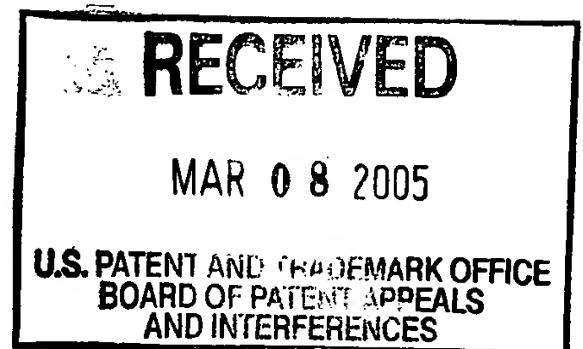
App. No.: **09/781,127** Filed: **02/09/2001**

Examiner: **KE, P.** Group Art Unit: **2174**

Atty. Dkt. No.: **1435-0100101** Confirmation No.: **1701**

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BRIEF IN SUPPORT OF APPEAL

Jeffrey G. Toler; Reg. No. 38,342
Attorney for Applicants
TOLER, LARSON & ABEL, LLP
5000 Plaza on the Lake, Suite 265
(512) 327-5515
(512) 327-5452 (fax)

I.	REAL PARTY IN INTEREST (37 C.F.R. § 41.37(C)(1)(I))	1
II.	RELATED APPEALS AND INTERFERENCES (37 C.F.R. § 41.37(C)(1)(II))	1
III.	STATUS OF CLAIMS (37 C.F.R. § 41.37(C)(1)(III)).....	1
A.	Total Number of Claims in Application	1
B.	Status of All the Claims	1
C.	Claims on Appeal	1
IV.	STATUS OF AMENDMENTS (37 C.F.R. § 41.37(C)(1)(IV)).....	2
V.	SUMMARY OF THE CLAIMED SUBJECT MATTER (37 C.F.R. § 41.37(C)(1)(V)).....	2
VI.	GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL (37 C.F.R. § 41.37(C)(1)(VI))	6
VII.	ARGUMENT (37 C.F.R. § 41.37(C)(1)(VII)).....	6
A.	CLAIMS 1-10 ARE ALLOWABLE OVER KEITH	6
B.	CLAIMS 15-41 ARE ALLOWABLEOVER KEITH IN VIEW OF TANG	7
VIII.	CLAIMS APPENDIX (37 C.F.R. § 41.37(C)(1)(VIII))	11
IX.	EVIDENCE APPENDIX (37 C.F.R. § 41.37(C)(1)(IX))	18
X.	RELATED PROCEEDINGS APPENDIX (37 C.F.R. § 41.37(C)(1)(X))	18
XI.	CONCLUSION	18

I. REAL PARTY IN INTEREST (37 C.F.R. § 41.37(c)(1)(i))

The Real Party in Interest in the present Appeal is Interknectives US LLC, the assignee, of patent application 09/781,127, as evidenced by the assignment set forth at Reel 011810, Frame 0859.

II. RELATED APPEALS AND INTERFERENCES (37 C.F.R. § 41.37(c)(1)(ii))

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal, Applicants are not aware of any such appeals or interferences.

III. STATUS OF CLAIMS (37 C.F.R. § 41.37(c)(1)(iii))

A. Total Number of Claims in Application

There are 37 claims pending in the application (claims 1-10 and 15-41).

B. Status of All the Claims

Claims 1, 15, 24, 29, and 39 are independent claims. According to paragraphs 1 and 2 of the Office Action dated October 6, 2004, the Examiner states that Claims 1-10 and 15-41 stand rejected, and are hereby appealed. Claims 11-14 were canceled in the Amendment filed May 25, 2004.

C. Claims on Appeal

There are 37 claims on appeal (claims 1-10 and 15-41).

IV. STATUS OF AMENDMENTS (37 C.F.R. § 41.37(c)(1)(iv))

The claims hereby Appealed are based on the Amendment filed May 25, 2004. No amendment was offered or entered after the Final Office Action.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER (37 C.F.R. § 41.37(c)(1)(v))

The subject matter of Claim 1 can be summarized as follows:

A method for identifying an individual's personal, human networking style and capabilities through the use of interactive, software-program games or tools is disclosed.

Claim 1 finds support on at least page 5 lines 7-9; page 6 lines 21-29 through page 7 lines 1-15; page 7 lines 25-28 through page 8 lines 1-28; page 10 lines 25-28 through page 11 lines 1-17; page 13 lines 13-22; page 16 lines 22-24; page 17 lines 2-12; page 17 lines 19-30 through page 18 lines 1-14; and page 19 lines 9-14 of the specification.

The subject matter of Claim 15 can be summarized as follows:

A method of constructing a human contacts network model that is displayable through use of a computer is disclosed. The method comprises the steps of receiving a plurality of information regarding a user, constructing a user icon for display, constructing a first icon and a second icon, linking the user icon with the first contact icon using a first relationship link, the relationship link associated with relationship currency information with respect to a personal human relationship between the user and the first contact, and linking the user icon with the second contact icon using a second relationship link, the second relationship link associated with relationship currency information with respect to a personal human relationship between the user and the second contact. The user icon is based upon the plurality of information as specified by input received from a human user, constructing a first contact icon. The first contact is associated with a first contact person, constructing a second contact icon. The second contact is associated with a second contact person.

Claim 15 finds support on at least page 5 line 12-13; page 6 lines 21-29 through page 7 lines 1-19; page 9 lines 18-29 through page 10 lines 1-28 through page 11 lines 1-17; and page 17 lines 20-30 through page 18 lines 1-10 of the specification.

The subject matter of Claim 24 can be summarized as follows:

A method of using a human contact's network model for multiple users of an organization, where the human contact's network model is displayable through use of a computer is disclosed. The method comprises the steps of inputting a plurality of information regarding a first user within an organization, as specified by a human operator, displaying a first user icon, displaying a first contact icon associated with a first contact person, displaying a second contact icon associated with a second contact person, linking the first user icon with the first contact icon using a first relationship link for the first user, linking the user icon with the second contact icon using a second relationship link associated with relationship currency information with respect to a personal human relationship between the user and the second contact, inputting a plurality of information, as specified by a human operator regarding a second user within an organization. The method further includes displaying a second user icon identified with the plurality of information regarding the second user, displaying a third contact icon associated with a third contact person, displaying a fourth contact icon associated with a fourth contact person, linking the second user icon with the third contact icon using a third relationship link for the second user, linking the second user icon with the fourth contact icon using a fourth relationship link associated with relationship currency information with respect to a personal human relationship between the second user and the fourth contact, and linking the first user icon with the second user icon using a fifth relationship link associated with relationship currency information with respect to a personal human relationship between the first user and the second user. The first user icon is identified with the plurality of information regarding the first user. The first relationship link is associated with relationship currency information with respect to a personal human relationship relating to matters of human affairs between the first user and the first contact. The third relationship link is associated with relationship currency information

with respect to a personal human relationship between the second user and the third contact.

Claim 24 finds support on at least page 2 lines 16-21 through page 3 lines 1-10; page 5 line 12-13; page 6 lines 21-29 through page 7 lines 1-19; page 9 lines 18-29 through page 10 lines 1-28 through page 11 lines 1-17; page 12 lines 14-18; and page 17 lines 20-30 through page 18 lines 1-10 of the specification.

The subject matter of Claim 29 can be summarized as follows:

A method of interacting with a human contact network model is disclosed. The method comprises providing a first version of a human contact network model that includes a user icon that provides information regarding a first person that is specified by a human operator, a plurality of contact icons that provide information regarding a plurality of other persons, and a plurality of relationship links that provide information regarding a personal human relationship between the first person and at least one of the other persons, and modifying the first version of the human contact network model to create a second version of the human contact network model.

Claim 29 finds support on at least page 3 lines 11-12; page 3 lines 18-20; page 7 lines 16-19; page 8 lines 3-4; page 8 lines 7-19; page 11 lines 18-23; page 12 lines 14-28 through page 13 lines 1-22; page 17 lines 1-18; page 18 lines 1-2; and page 19 lines 9-14 of the specification.

The subject matter of Claim 39 can be summarized as follows:

A computer implemented system for interacting with a human contact network model is disclosed. The computer implemented system comprises a user interface to display a first version of a human contact network model that includes a user icon that provides information regarding a first person, the information specified by a human operator, a plurality of contact icons that provide information regarding a plurality of other persons, and a plurality of relationship links. At least one of the plurality of

relationship links provides information regarding a personal human relationship with respect to human affairs between the first person and at least one of the other persons. The system includes a user based network model editing function for modifying the first version of the human contact network model to create a second version of the human contact network model.

Claim 39 finds support on at least page 3 line 11-12; page 4 line 15; page 8 lines 3-4; page 11 lines 8-23; page 17 line 20-22; and page 18 line 1-2 of the specification.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL (37 C.F.R. § 41.37(c)(1)(vi))

- A. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated over Keith (US 6,629,097).
- B. Claims 15-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keith (US 6,629,097) in view of Tang (5,793,365).

VII. ARGUMENT (37 C.F.R. § 41.37(c)(1)(vii))

Applicants respectfully appeal each of the rejections applied against all claims now pending on appeal.

A. CLAIMS 1-10 ARE ALLOWABLE OVER KEITH

1. Independent Claim 1 is allowable over Keith. None of the cited references, including Keith, teach or suggest a method for identifying an individual's personal, human networking style. The section of Keith referenced in the Office Action (col. 16 and lines 19-62) does not teach or suggest "human networking style." In contrast to the present invention of claim 1, Keith is generally directed to a system to help a user find words that have associated meanings so that the user can readily browse through information. Basically, Keith describes an improved searching tool. Keith does not teach and is not directed to human relationships or human networking. Keith is directed to a different problem (i.e. how to efficiently search through large amounts of data) than the invention of claim 1 (assisted human networking). Thus, claim 1 is allowable over Keith.
2. Claim 2 is allowable over Keith. Keith fails to teach or suggest acquiring information about a person's behaviors and characteristics in relation to human networking with other individuals. Further, Keith teaches away from the claimed invention of claim 2. Specifically, Keith teaches of data that is "not specified by human operator." (Col. 16, lines 26-27). Keith teaches of data relationships (not human relationships), where the data relationships are

determined by the system and are not specified by human input. In direct contrast to Keith, claim 2 recites “acquires information about a person’s attitudes, behaviors and characteristics as specified by input from a human user in relation to human networking with other individuals.” Thus, Keith teaches away from the invention as defined by claim 2. Claim 2 is therefore allowable.

3. Claim 3 is allowable over Keith. Since independent claim 1 is allowable, each of the dependent claims is likewise allowable over the cited references. Further, the dependent claims include additional features not found in the cited references. For example, none of the cited references teach or suggest networking frameworks for a manager’s subordinates, as recited in claim 3. Claim 3 is therefore allowable. An indication of a perceived level of mutuality (claim 17), knowledge (claim 19), or power and/or influence (claim 20).
4. Claims 4-10 are allowable over Keith. Since independent claim 1 is allowable, dependent claims 4-10 are also allowable.

B. CLAIMS 15-41 ARE ALLOWABLE OVER KEITH IN VIEW OF TANG

1. Independent claim 15 is allowable over Keith in view of Tang. None of the cited references teach the specific combination as defined by claim 15. For example, Keith and Tang fail to disclose a first relationship link associated with relationship currency information with respect to a personal human relationship between the human user and the first contact. Keith discloses relationships between data, such as semantic and linguistic structures of words and text. Keith does not teach or suggest human relationships. Further, Keith teaches away from claim 15. Specifically, Keith teaches of data that is “not specified by human operator.” (Col. 16, lines 26-27). Keith teaches of data relationships (not human relationships), where the data relationships are determined by the system and are not specified by human input. Keith teaches away from receiving a plurality of information as specified by input received

from a human user, as recited by claim 15. Thus, for at least the foregoing reasons, claim 15 is allowable. In addition to the above argument regarding claim 15, none of the cited references teach or suggest the additional claim features of an indication of a perceived level of mutuality (claim 17), knowledge (claim 19), or power and/or influence (claim 20).

2. Independent claim 24 is allowable over Keith in view of Tang. None of the cited references disclose the specific combination of elements as defined by claim 24. For example, Keith and Tang fail to disclose a first relationship link associated with relationship currency information with respect to a personal human relationship between the human user and the first contact. Again, Keith discloses relationships between data, such as semantic and linguistic structures of words and text. Keith does not teach or suggest human relationships. Further, Keith teaches away from claim 24. Specifically, Keith teaches of data that is “not specified by human operator.” (Col. 16, lines 26-27). Keith teaches of data relationships (not human relationships), where the data relationships are determined by the system and are not specified by human input. Keith teaches away from inputting a plurality of information regarding a first user within an organization as specified by a human operator, as recited by claim 24. Thus, for at least the foregoing reasons, claim 24 is allowable.
3. Independent claim 29 is allowable over Keith in view of Tang. None of the cited references disclose the specific combination as defined by claim 29. For example, Keith and Tang fail to disclose a plurality of relationship links that provide information regarding a personal human relationship. Keith discloses relationships between data, not humans. Keith does not teach or suggest human relationships. Further, Keith teaches away from claim 29. Specifically, Keith teaches of data that is “not specified by human operator.” (Col. 16, lines 26-27). Keith teaches of data relationships (not human relationships), where the data relationships are determined by the system and are not specified by human input. Specifically, Keith teaches of data that is

“not specified by human operator.” (Col. 16, lines 26-27). Keith teaches of data relationships (not human relationships), where the data relationships are determined by the system and are not specified by human input. Keith teaches away from providing information regarding a first person that is specified by a human operator, as recited by claim 29. Thus, for at least the foregoing reasons, claim 29 is allowable.

4. Independent claim 39 is allowable over Keith in view of Tang. None of the cited references disclose each of the specific combination of elements as defined by claim 39. For example, Keith fails to disclose a plurality of relationship links that provide information regarding a personal human relationship with respect to human affairs. Keith discloses relationships between data such as semantic and linguistic structures of words and text. Keith does not teach or suggest human relationships. Further, Keith teaches away from claim 39. Keith teaches away from providing information regarding a first person that is specified by a human operator, as recited by claim 39. Thus, for at least the foregoing reasons, claim 39 is allowable.
5. Claims 17-20 are allowable over Keith in view of Tang. In addition to the basis for allowance presented above for claim 15, none of the cited references teach or suggest the additional claim features of an indication of a perceived level of mutuality (claim 17), knowledge (claim 19), or power and/or influence (claim 20). Applicants disagree with the Examiner’s assertion that any of these perceived human traits can be determined simply based on a person’s job or age. In fact, if age inherently defined and determined a person’s power or influence within an organization or business, this would likely constitute illegal age discrimination.
6. Claim 30 is allowable over Keith in view of Tang. As an additional example, Applicants disagree with the Examiner’s position that a change of address or job inherently teaches a perceived change in human behavior (see claim 30).

Again, Keith is describing a data structure and the claimed invention is directed to a perceived human trait.

7. Claims 16, 18, 21-29, and 31-41 are allowable over Keith in view of Tang. Since independent claims 15, 24, 29, and 39 are allowable, dependent claims 16, 18, 21-29, and 31-41 are also allowable. Thus, for at least the foregoing reasons, all of the pending claims are in condition for allowance.

For at least the foregoing reasons, Appellant respectfully submits that the present application is in condition for allowance and reconsideration is respectfully requested.

VIII. CLAIMS APPENDIX (37 C.F.R. § 41.37(c)(1)(viii))

The text of each claim involved in the appeal is as follows:

1. (Original) A method for identifying an individual's personal, human networking style and capabilities through the use of interactive, software-program games or tools.
2. (Previously presented) The method according to claim 1 wherein said computer software acquires, captures, retrieves information about a person's attitudes, behaviors, and characteristics as specified by input from a human user in relation to human networking with other individuals and displays the information acquired in an interactive, graphical form.
3. (Original) The method according to claim 1 wherein said computer software contains design functions for managers to create a desired, networking framework for their subordinates.
4. (Original) The method according to claim 1 wherein said computer software contains analysis and design functions for project management activities.
5. (Original) The method according to claim 1 wherein said computer software contains analysis and design functions for performance management activities.
6. (Original) The method according to claim 1 wherein said computer software contains analysis and design functions for process management activities.
7. (Original) The method according to claim 1 wherein said computer software contains analysis and design functions for training and development activities.
8. (Original) The method according to claim 1 wherein said computer software connects and displays the network analyses of multiple users within a team, group, department, organization, organizations or community in a graphical display of a multi-user network system.
9. (Original) The method according to claim 1 wherein said computer software enables the individual who is identified as the user's network connection to validate a user's own assessment.

10. (Previously presented) The method of claim 1, further comprising providing guidance on personal, human networking through the use of the interactive, computer software games or tools.

11. (Canceled)

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Previously presented) A method of constructing a human contacts network model that is displayable through use of a computer, the method comprising the steps of:

receiving a plurality of information regarding a user;

constructing a user icon for display, the user icon based upon the plurality of information as specified by input received from a human user;

constructing a first contact icon, the first contact associated with a first contact person;

constructing a second contact icon, the second contact associated with a second contact person;

linking the user icon with the first contact icon using a first relationship link, the relationship link associated with relationship currency information with respect to a personal human relationship between the user and the first contact; and

linking the user icon with the second contact icon using a second relationship link, the second relationship link associated with relationship currency information with respect to a personal human relationship between the user and the second contact.

16. (Original) The method of claim 15, wherein the relationship currency information is an indication of a perceived level of trust.

17. (Original) The method of claim 15, wherein the relationship currency information is an indication of a perceived level of mutuality.

18. (Original) The method of claim 15, wherein the relationship currency information is an indication of a perceived level of predictability.
19. (Original) The method of claim 15, wherein the relationship currency information is an indication of a perceived level of knowledge.
20. (Original) The method of claim 15, wherein the relationship currency information is an indication of a perceived level of power and/or influence.
21. (Original) The method of claim 15, wherein the network model can be manipulated by the user graphically in accordance with various user selections.
22. (Original) The method of claim 21, wherein the various user selections include a plurality of different network spaces.
23. (Original) The method of claim 21, wherein the network model is displayed on a monitor to the user using three dimensional computer graphics.
24. (Previously presented) A method of using a human contact's network model for multiple users of an organization, where the human contact's network model is displayable through use of a computer, the method comprising the steps of:
 - inputting a plurality of information regarding a first user within an organization, as specified by a human operator;
 - displaying a first user icon, the first user icon identified with the plurality of information regarding the first user;
 - displaying a first contact icon, the first contact associated with a first contact person;
 - displaying a second contact icon, the second contact associated with a second contact person;
 - linking the first user icon with the first contact icon using a first relationship link for the first user, the first relationship link associated with relationship currency information with respect to a personal human relationship relating to matters of human affairs between the first user and the first contact;

linking the first user icon with the second contact icon using a second relationship link, the second relationship link associated with relationship currency information with respect to a personal human relationship relating to matters of human affairs between the first user and the second contact;

inputting a plurality of information, as specified by a human operator regarding a second user within an organization;

displaying a second user icon, the second user icon identified with the plurality of information regarding the second user;

displaying a third contact icon, the third contact associated with a third contact person;

displaying a fourth contact icon, the fourth contact associated with a fourth contact person;

linking the second user icon with the third contact icon using a third relationship link for the second user, the third relationship link associated with relationship currency information with respect to a personal human relationship between the second user and the third contact;

linking the second user icon with the fourth contact icon using a fourth relationship link, the fourth relationship link associated with relationship currency information with respect to a personal human relationship between the second user and the fourth contact; and

linking the first user icon with the second user icon using a fifth relationship link, the fifth relationship link associated with relationship currency information with respect to a personal human relationship between the first user and the second user.

25. (Previously presented) The method of claim 24, where access to different levels of user information are set by a method, the method comprising:

the first user selects the level of access available, and thereby the information displayed, to the second user for the plurality of information with respect to the first user, with respect to the plurality of relationship links with each first user contact, and with respect to the plurality of information associated with each first user contact; and

the second user selects the level of access available, and thereby the information displayed, to the first user for the plurality of information with respect to the second user, with respect to the plurality of relationship links with each second user contact, and with respect to the plurality of information associated with each second user contact.

26. (Original) The method of claim 24, further comprising training personnel through use of the human contacts network model constructed for the first and second user.
27. (Original) The method of claim 26, wherein the training includes network management training based on management objectives of the organization.
28. (Original) The method of claim 24, further comprising interacting with the first and second users through interactive question and answer sessions and modifying the network model based on said interactive question and answer sessions.
29. (Previously presented) A method of interacting with a human contact network model, the method comprising:
 - providing a first version of a human contact network model that includes a user icon that provides information regarding a first person that is specified by a human operator, a plurality of contact icons that provide information regarding a plurality of other persons, and a plurality of relationship links that provide information regarding a personal human relationship between the first person and at least one of the other persons; and
 - modifying the first version of the human contact network model to create a second version of the human contact network model.
30. (Previously presented) The method of claim 29, wherein the first version of the human contact network is modified to create the second version based on a perceived change in human behavior of the first person or of the other persons or based on a perceived change in the personal human relationships between the first person and at least one of the other persons, as specified by the human operator.

31. (Previously presented) The method of claim 29, wherein at least one of the relationship links is indicative of relationship currency information with respect to a personal human relationship between the first person and at least one of the other persons.
32. (Previously presented) The method of claim 29, wherein the relationship currency information is an indication of a perceived level of trust, as specified by the human operator.
33. (Original) The method of claim 29, wherein the relationship currency information is an indication of a perceived level of mutuality.
34. (Original) The method of claim 29, wherein the relationship currency information is an indication of a perceived level of predictability.
35. (Original) The method of claim 29, wherein the relationship currency information is an indication of a perceived level of knowledge.
36. (Original) The method of claim 29, wherein the relationship currency information is an indication of a perceived level of power and/or influence.
37. (Original) The method of claim 29, wherein the second version contains a contact icon that was modified by a second person associated with the contact icon.
38. (Original) The method of claim 37, wherein the contact icon is modified in response to data communications over a distributed computer network.
39. (Previously presented) A computer implemented system for interacting with a human contact network model, the computer implemented system comprising:
 - a user interface to display a first version of a human contact network model that includes a user icon that provides information regarding a first person, the information specified by a human operator, a plurality of contact icons that provide information regarding a plurality of other persons, and a plurality of relationship links, at least one of the plurality of relationship links providing information

regarding a personal human relationship with respect to human affairs between the first person and at least one of the other persons; and
a user based network model editing function for modifying the first version of the human contact network model to create a second version of the human contact network model.

40. (Previously presented) The system of claim 39, wherein the first version of the human contact network is modified to create the second version based on a perceived change in human behavior of the first person or of the other persons or based on a perceived change in the personal human relationships between the first person and at least one of the other persons, as specified by the human operator.

41. (Previously presented) The system of claim 39, wherein at least one of the relationship links is indicative of relationship currency information with respect to a personal human relationship between the first person and at least one of the other persons.

IX. EVIDENCE APPENDIX (37 C.F.R. § 41.37(c)(1)(ix))

(N/A)

X. RELATED PROCEEDINGS APPENDIX (37 C.F.R. § 41.37(c)(1)(x))

(N/A)

XI. CONCLUSION

For at least the above reasons, all pending claims are allowable and a notice of allowance is courteously solicited. Please direct any questions or comments to the undersigned attorney at the address indicated. Appellant respectfully requests reconsideration and allowance of all claims and that this patent application be passed to issue.

Respectfully submitted,

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Date


Jeffrey G. Toler; Reg. No. 38,342
Attorney for Applicant(s)
TOLER, LARSON & ABEL, L.L.P.
5000 Plaza On The Lake, Suite 265
Austin, Texas 78746
(512) 327-5515 (phone)
(512) 327-5452 (fax)